



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007*

March 27, 2020

BY E-MAIL

The Honorable Edgardo Ramos
United States District Judge
Southern District of New York
Thurgood Marshall United States Courthouse
40 Foley Square
New York, New York 10007

Re: *United States v. Johnny Nunez*, 20 Cr. ____ (ER)

Dear Judge Ramos,

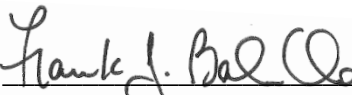
On March 26, 2020, a grand jury returned an indictment charging defendant Johnny Nunez with possessing a firearm after sustaining a felony conviction, in violation of 18 U.S.C. § 922(g), and the Armed Career Criminal Act sentencing provision of 18 U.S.C. § 924(e). This Court was assigned the case, and an initial conference is scheduled for April 22, 2020 at 10:15 p.m. The parties anticipate that the defendant's arraignment will occur on that date, as well, in light of the ongoing difficulties in holding court proceedings due to the COVID-19 pandemic and associated protective measures throughout the District. Defense counsel, Calvin Scholar, Esq., consents to arraigning the defendant on that date.

The Government writes to respectfully request that time under the Speedy Trial Act be excluded between the date of this letter and April 22, 2020, in the interests of justice pursuant to 18 U.S.C. § 3161(h)(7). The defendant was initially charged in complaint 19 Mag. 6577 with the same felon-in-possession offense as is contained in the above-captioned Indictment. Agents arrested him on November 26, 2019, at which time Inga Parsons, Esq., was appointed to represent him. The Government produced pre-indictment discovery, and the parties engaged in plea discussions for several months. Ms. Parsons then sought to be relieved as counsel, and on March 19, 2020, the Court appointed Mr. Scholar to represent the defendant. The Government understands that Mr. Scholar has received (or soon will receive) the discovery from Ms. Parsons and will need time to review that material and confer with his client. The Government will also be providing additional material that came into its possession since its initial production to Ms. Parsons. In addition, the parties intend to continue their plea discussions. Accordingly, the Government submits that the interests of justice weigh in favor of excluding time under the Speedy Trial Act to allow new defense counsel to become familiar with the case and the

discovery, and to engage in necessary communications with the defendant and Government. Mr. Scholar consents to the requested exclusion of time.

Respectfully Submitted,

GEOFFREY S. BERMAN
United States Attorney

by: 
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Assistant United States Attorneys
(212) 637-2325 / -2484

cc: Calvin Scholar, Esq., *counsel for Johnny Nunez* (via e-mail)